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DEC 03 2007

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December 3, 2007

BY FAX (212) 805-7942

Hon. Alvin K. Hellerstein  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1050  
New York, New York 10007

*Conf adjourned  
to 12/21/07, 9:30 a.m.  
12.4.07  
Alvin K. Hellerstein*

Re: Professional Real Estate Services, Inc. v. Lincoln Property Co.  
Commercial, Inc, 07 Civ. 7175 (AKH)

Dear Judge Hellerstein:

I am local counsel for the defendant in the above action and write to request an adjournment of the Rule 16 Case Management and Scheduling Conference set for December 14, 2007 at 9:30 a.m. I have discussed this request with the attorney for the plaintiff, Laura-Michelle Rizzo, Esq., and she consents to the adjournment. This is the first request for such an adjournment and no other dates have been set in this case.

When plaintiff's counsel received the Notice of Court Conference, dated October 19, 2007, she inadvertently neglected to forward it to us, and we just this week learned about the scheduled date. Because the Notice requires lead counsel to attend, lead counsel from Texas who have been admitted *pro hac vice* and expect to attend now have other professional commitments for that date.

We have since conferred as to dates and all counsel would be available for the conference on December 17, 18, 20 (afternoon) and 21, 2007, or January 11, 14, 15, 17 or 18. We hope that one of these dates fits with the Court's schedule.

Thank you for your consideration of this request for an adjournment.

Respectfully yours,

*Jeffrey H. Daichman*  
Jeffrey H. Daichman

cc: Laura-Michelle Rizzo, Esq. (by fax)  
Alan Loewinsohn, Esq. (by fax)  
Carol Farquhar, Esq. (by fax)